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## TRANSMITTAL FORM

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Total Number of Pages in This Submission

21

Application Number	10/724,453
Filing Date	11/28/2003
First Named Inventor	James C. Peacock III
Art Unit	3731
Examiner Name	
Total Number of Pages in This Submission	21
Attorney Docket Number	51298-00007

<b>ENCLOSURES (Check all that apply)</b>		
<input type="checkbox"/> Fee Transmittal Form <div style="margin-left: 20px;"><input type="checkbox"/> Fee Attached</div> <input type="checkbox"/> Amendment/Reply <div style="margin-left: 20px;"><input type="checkbox"/> After Final</div> <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <div style="margin-left: 20px;"><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53</div>	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <div style="margin-left: 20px;"><input type="checkbox"/> Landscape Table on CD</div>	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): <div style="margin-left: 20px;">1. Postage paid postcard.</div>
Remarks		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Preston Gates & Ellis LLP		
Signature			
Printed name	Michelle S. Glasky, Ph.D.		
Date	6/6/05	Reg. No.	54,124

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Signature	Maria Nadal		
Typed or printed name		Date	6/7/05

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Maria Nadal

Maria Nadal

**PATENT**

Inventor: James C. Peacock III  
Serial No.: 10/724,453  
Filing Date: 11/28/2003  
Title: MEDICAL DEVICE WITH POROUS SURFACE CONTAINING BIOERODABLE BIOACTIVE COMPOSITES AND RELATED METHODS

Examiner:  
Group Art Unit: 3731  
Atty Docket No.: 51298-00007

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97 and 1.98, and in accordance with the provisions in the Manual of Patent Examining Procedure §§609 and 707.05(b), enclosed is a copy of the substitute for FORM PTO-1449 listing the references that are known to applicant. Applicants enclose copies of each of the listed references which are not U.S. patents.

This art is being filed for consideration in compliance with § 1.97 within the following time period:

37 C.F.R. § 1.97 (b) This information is being filed for consideration and entry before the mailing date of any of a first office action on the merits.

The submission of the above-described documents does not constitute an admission nor should it be construed as a representation that: a search has been made, or that it is material to patentability as defined in § 1.56(b).

Applicant: James C. Peacock III  
Serial No.: 10/724,453  
Group Art Unit: 3731

PATENT  
51298-00007

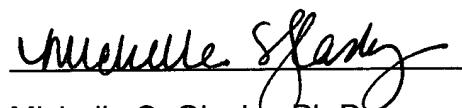
Applicant reserves the right to antedate or otherwise remove the documents as references.

It is respectfully requested that the listed references be considered in the examination of this application and identified on the list of references cited on the patent issuing for this application. Applicant also requests that an initialed copy of the substitute for FORM PTO-1449 be entered in the application file and returned to applicant with the next communication from the Office in accordance with MPEP § 609.

Applicants believe no fee is due with this filing, however, if it is deemed that a fee is due, the Director is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 50-3207 associated with this response.

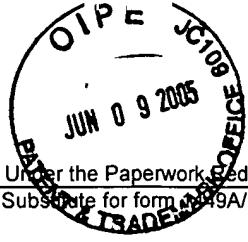
Respectfully submitted,

Dated: 6/6/05



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~~Substitute for form 1-9A/PTO~~

**Complete if Known**

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1 Attorney Docket Number 51298-00007

## **U.S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document _____  Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		EP 0875 218	11/04/1998	Advanced Cardiovascular Systems, Inc.		

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.<sup>1</sup>Applicant's unique citation designation number (optional).<sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.4.<sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).<sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent documents.<sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.<sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 USC 122 and 37 CFR 1.14. This collection is estimated to take 2.0 hours to complete, including gathering, preparing, and submitting the completed application or to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, Patent and Trademark Office, US Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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